

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

INDEPENDENT ASSET MANAGEMENT,  
LLC,

Plaintiff,

- against -

DANIEL ZANGER,

Defendant.

Index No. 07-CV-6431 (JSR)

ECF

**MEMORANDUM OF LAW IN RESPONSE TO DEFENDANT DANIEL ZANGER'S  
MOTION *IN LIMINE* TO EXCLUDE EVIDENCE RELATED TO STEVEN  
SCHULMAN'S CONDUCT PRIOR TO HIS RETENTION IN THIS MATTER**

Plaintiff Independent Asset Management does NOT oppose Defendant Daniel Zanger's Motion *in limine* to Exclude Evidence Related to Steven Schulman's Conduct Prior to His Retention in This Matter. Plaintiff at no time intended to exploit the predicaments that Zanger's previous counsel, Steven Schulman, engaged in prior to this dispute. As Zanger has since retained Jones Day as counsel, the issue is irrelevant and does not warrant further attention.

Dated: New York, New York  
July 28, 2008

Respectfully submitted,

s/ Craig Stuart Lanza

Craig Stuart Lanza (CL-2452)

John Balestriere (JB- 3247)

**BALESTRIERE LANZA PLLC**

225 Broadway, Suite 2900

New York, NY 10007

Telephone: (212) 374-5400

Facsimile: (212) 208-2613

*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing document was served on the following counsel of record on July 28, 2008, via the methods listed below:

**By ECF**

Michael Silberfarb  
Jones Day  
222 East 41st Street  
New York, NY 10007  
*Attorneys for Defendant*

s/ Craig Stuart Lanza  
Craig Stuart Lanza (CL-2452)  
**BALESTRIERE LANZA PLLC**  
225 Broadway, Suite 2900  
New York, NY 10007  
Telephone: (212) 374-5404  
Facsimile: (212) 208-2613  
*Attorneys for Plaintiff*